

असाधारण

EXTRAORDINARY

भाग II—खण्ड 2 PART II—Section 2

प्राधिकार से प्रकाशित PUBLISHED BY AUTHORITY

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NEW DELHI, MONDAY JULY 31, 1995/ASADHA 9, 1917

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके । Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bill was introduced in Lok Sabha on 31st July, 1995:—

BILL No. 45 of 1995

A Bill to amend the Indian Satistical Institute Act, 1959.

BE it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows:—

- 1. (1) This Act may be called the Indian Statistical Institute (Amendment) Act, 1995.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
- 2. In section 4 of the Indian Statistical Institute Act, 1959, for the word 'statistics', the words "statistics, mathematics, quantitative economics, computer science and such other subjects related to statistics" shall be substituted.

Short title, and commencement.

> Amendment of Act 57 of 1959.

STATEMENT OF OBJECTS AND REASONS

Section 4 of the Indian Statistical Institute Act, 1956 empowers the diplomas in Statistics. But, with the Institute to grant degrees and passage of time, Statistics has been found to be relevant to many other subjects. Accordingly, demands on Indian Statistical Institute to run courses in other related subjects have been increasing. In particular, there has been a strident demand for courses in Mathematics, Quantitative Economics and Computer Science. On the advice of the Second Indian Statistical Institute Review Committee set up by the Government of India under Section 9 of the Indian Statistical Institute Act, 1959 it was decided that Statistics being a new technology it should be open to the Institute to establish and maintain research and study units in subjects other than Theoretical and Applied Statistics, to offer facilities for research application of statistical methods and for provision of training in such methods, In this backdrop, and bearing in mind the demand for new courses of study, section 4 of the Indian Statistical Institute Act. 1959 is proposed to be amended to mention in particular these subjects besides Statistics. At the same time, taking note of the trend of the emergence of many other subjects related to Statistics, the amendment is also proposed to provide for such emerging requirements through an enabling clause.

- 2. As and when the Institute decides to commence new courses, it will do so within the limit of its budgetary constraints. There will be no specific additional financial burden on the Government as a result of this amendment.
 - 3. The Bill seeks to achieve the above objects.

NEW DELHI; The 29th May, 1995. GIRIDHAR GOMANGO.

R. C. BHARDWAJ, Secretary-General.

STATEMENT OF OBJECTS AND REASONS

India is a signatory to the International Covenant on Civil and Political Rights. Para 5 of article 9 of the said Covenant envisages "an entorcease right to compensation for inegal detention, to runnit the above obligation it is proposed to make provision in the indian Penal Code for payment of compensation to a victim of unlawful arrest or unlawful detention.

- 2. In the wake of Supreme Court judgment in Prem Chand Vs. State of Haryana (A.I.R. 1989 SC 937), certain Women's Organisations suggested amenament of section 376 of the indian Penal Code to make it clear that the character, reputation, conduct or status of the woman or the delay in reporting the commission of an offence of rape shall not be an adequate and special reason for imposing a sentence of imprisonment less than the minimum provided under that section. It is, therefore, proposed to provide an Explanation to section 376 of the Indian Penal Code.
- 3. There were representations from various quarters that clear provisions be made in the Indian Penal Code to treat sacrifice of a human being as part of religious practice or otherwise as an offence of murder. Therefore, amendment is also proposed in section 300 of the Indian Penal Code.
- 4. Ministry of Finance have recommended that a new offence for dishonestly or fraudulently removal or concealment of any form of security interest in favour of any bank or furnishing of any statement which is false in any material particulars is proposed to be included in the Indian Penal Code and necessary consequential amendments in the Code of Criminal Procedure, 1973 and the Indian Evidence Act, 1872 are also proposed.
- 5. It is also proposed that to tackle the problem of communal violence more effectively the offence under sections 153A and 153B of the Indian Penal Code are proposed to be tried by summary trial procedure.
 - 6. The Bill seeks to achieve the above objects.

NEW DELHI; The 29th July, 1995.

S. B. CHAVAN.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend section 220 of the Indian Penal Code to provide that whenever any person is convicted of an offence punishable under that section, the court may award compensation and direct the offender to pay the same failing which the appropriate Government shall pay the same and recover it from the person directed to pay such compensation. Appropriate Government has been defined in the case of an offender who is employed or was at the time of commission of the alleged offence employed in connection with the affairs of the Union, the Central Government. In view of this, the Central Government will have to bear the expenditure for payment of compensation in cases where the offender is or was employed in connection with the affairs of the Union. However, it is not possible to provide any estimate of the expenditure at this stage.

2. No other expenditure recurring or non-recurring is involved.

R. C. BHARDWAJ, Secretary-General.